

Order

Michigan Supreme Court
Lansing, Michigan

December 9, 2005

Clifford W. Taylor,
Chief Justice

128649

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 128649
COA: 252969
Tuscola CC: 02-008497-FC

GEORGE LAVERN BODRIE,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the March 15, 2005 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.

KELLY, J., dissents and states as follows:

I would grant leave to appeal in order to examine the viability of the rule relied on by the trial court, *People v DerMartex*, 390 Mich 410 (1973).



p1206

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 9, 2005

Corbin R. Davis

Clerk